

**REMARKS**

**Amendments to the Specification and Claims**

In the present Amendment, Applicants have amended the specification to recite SEQ ID NOs and to correct typographical errors. The amendments to the specification are supported by the application as filed, and no new matter is added. Applicants have also replaced the drawings as filed with the replacement drawings filed herewith. The replacement drawings are of improved quality and do not add new matter.

Applicants have canceled original claims 1-84 without prejudice or disclaimer and added new claims 85-111, as directed by the Examiner. (See page 2 of the Office Action, item 1.) As the Examiner noted, the original claims were numbered inconsistently (numbers 3-5 were assigned twice, and claim number 32 was missing). Because the Examiner renumbered the claims consistently from 1 to 84 (see Office Action at page 2), Applicants have started the numbering of the new claims at claim 85. New claims 85-111 correspond to the original claims (as renumbered by the Examiner) and/or are supported by the specification as follows:

| <b>New Claim Number</b> | <b>Corresponding Original Claim Number</b> |
|-------------------------|--|
| Claim 85                | Claim 2                                    |
| Claim 86                | page 172, lines 8-10 of the specification  |
| Claim 87                | Claim 3                                    |
| Claim 88                | page 170, lines 17-23 of the specification |
| Claim 89                | Claims 1, 4                                |
| Claim 90                | Claim 5                                    |

|           |  |
|-----------|--|
| Claim 91  | Claim 6  |
| Claim 92  | Claim 7  |
| Claim 93  | Claim 8  |
| Claim 94  | Claim 13; page 15, lines 23-26 of the specification (as amended herein); Figure 18; page 154, lines 2-5 of the specification |
| Claim 95  | Claims 9, 10, 11, 12; page 15, lines 23-26 of the specification (as amended herein); Figure 18                               |
| Claim 96  | Claim 15; Figures 27-29, 30, 34  |
| Claim 97  | Claim 15; Figure 31  |
| Claim 98  | Claim 16; Figures 27, 33   |
| Claim 99  | Claim 17; page 170, lines 17-23 of the specification   |
| Claim 100 | Claim 17; page 172, lines 8-10 of the specification  |
| Claim 101 | Claim 18   |
| Claim 102 | Claim 18   |
| Claim 103 | Claim 19   |
| Claim 104 | Claim 19   |
| Claim 105 | Claims 20, 21  |
| Claim 106 | Claim 22   |
| Claim 107 | Claim 23   |
| Claim 108 | Claim 36   |
| Claim 109 | Claim 38   |
| Claim 110 | Claim 40   |
| Claim 111 | Claim 42   |

New claims 85-111 correspond to the elected claims, as discussed below.

**Restriction**

In the Office Action, the Examiner required restriction to one of the following groups of claims under 35 U.S.C. § 121 and 372:

**Group I.** Claims 1-25, 36, 38, 40, 42

**Group II.** Claims 26-29, 37, 38, 41, 42

**Group III.** Claims 30-32, 43

**Group IV.** Claims 33-35

**Group V.** Claims 44-48

**Group VI.** Claims 49-52

**Group VII.** Claims 53-56, 65

**Group VIII.** Claims 57-59

**Group IX.** Claim 60

**Group X.** Claims 61-62

**Group XI.** Claim 63

**Group XII.** Claims 66, 68

**Group XIII.** Claims 67, 68

**Group XIV.** Claim 69

**Group XV.** Claims 70-71

**Group XVI.** Claims 72-75

**Group XVII.** Claims 76-77

**Group XVIII.** Claims 78-84

**Applicants elect Group I, claims 1-25, 36, 38, 40, 42. New claims 85-111 correspond to or read on the elected claims, as provided above.**

**Species Election**

The Examiner required election of "a corresponding sequence" if Applicants elected Group I. (Office Action at page 4, item 4.) Applicants elect the sequence of SEQ ID NO:16, which corresponds to V<sub>H</sub>-CDR3 of the phage antibody designated F5. (See, e.g., page 15, lines 23-26 of the specification (as amended herein) and Figure 18.) The claims readable on the elected species are claims 85-86, 89, 94, 97-98, 100, 102, and 104-111.

Applicants traverse the requirement to elect a species. The International Searching Authority (ISA) identified the elected claims as a single invention, and the ISA searched and examined all the elected claims without requiring an election of species. (See International Preliminary Report on Patentability of the ISA, dated 10/21/2005.) According to the MPEP, "Examiners are reminded that unity of invention (**not restriction practice pursuant to 37 CFR 1.141 - 1.146**) is applicable in international applications (both Chapter I and II) and in national stage applications submitted under 35 U.S.C. 371." MPEP § 1893.03(d) (emphasis added). The aforementioned 37 CFR 1.146 governs election of species. Furthermore, "...it is clear that the decision with respect to unity of invention rests with the International Searching Authority or the International Preliminary Examining Authority." MPEP § 1850.

Therefore, the Examiner should examine all of the elected claims without requiring election of species, as did the ISA.

Applicants believe that the claim fees for new claims 85-111 do not exceed the claim fees previously paid with Applicants' Submission under 35 USC 371 filed 10/14/2005, and therefore, Applicants believe that no additional claim fees are due. Nonetheless, please charge any additional required fees, including claim fees or fees for any required extensions of time, to Deposit Account No. 07-0630. The Examiner is invited to contact the undersigned at (650) 467-0594 to resolve any issues in the above matter.

Respectfully submitted,

GENENTECH, INC.

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By: /Danielle M. Pasqualone/  
Danielle M. Pasqualone, Reg. No. 43,847  
Phone: (650) 467-0594  
Fax: (650) 952-9881